

# EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

WILLIAM M. PEARCE	)	
Plaintiff,	)	
	)	
v.	)	Case No.: 22-cv-02635-LKG
	)	
FRONTIER AIRLINES, INC.	)	
Defendant.	)	
	)	

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**AFFIDAVIT OF BRADLEY J. LAMBERT**

I, Bradley Lambert, being duly sworn, state as follows:

1. I am the Vice President of Flight Operations for Frontier Airlines ("Frontier"). I have held this position since August of 2017. I am over the age of majority (59) and am competent to testify. The matters described in this affidavit are within my personal knowledge.
2. Frontier is a passenger air carrier regulated under Part 121 of the Federal Aviation Regulations. Frontier operates scheduled service to approximately 120 destinations and flies a fleet of 127 Airbus aircraft. Frontier is headquartered in Denver, Colorado.
3. Earlier in my aviation career, I was employed by an air carrier named USA 3000, and I met William (Bill) Pearce during our time with USA 3000.
4. Bill Pearce contacted me in February 2021 and expressed an interest in applying for a pilot position at Frontier. I encouraged him to pursue it. Pilot applicants at Frontier follow our hiring protocols which involve completing and updating an application and then proceeding through the pilot selection process.
5. This process includes an initial vetting of applicants by Frontier's Senior Manager of Talent Acquisition to determine whether the candidate should proceed to the formal interview

process conducted by Frontier's pilot candidate review committee. At the time, Gerardo Arellano held that initial vetting or screening role.

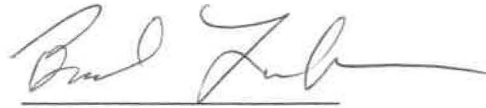
6. After he conducted a screening of Mr. Pearce and his application, Mr. Arellano reported to me that he did not believe that Mr. Pearce was a good fit for Frontier. He was uncomfortable with Mr. Pearce's application. He pointed out that he seemed to be just looking for a job, that he did not take accountability for a training failure while at Republic Airlines, and that his flight hours were very high, but he had not upgraded to a Captain position.

7. I could have overridden Mr. Arellano's recommendation but, based on Mr. Arellano's reasoning and explanation over why Mr. Pearce was not among the best pilot candidates, I accepted his recommendation and respected his judgment. I agreed with Mr. Arellano that Mr. Pearce's remaining only in a first officer role with his level of flight hours and tenure at Republic Airlines (his current employer) – along with his not taking accountability for a training irregularity – made him a less suitable pilot candidate.

8. Mr. Pearce's age played no role in my accepting Mr. Arellano's recommendation not to advance Mr. Pearce to the interview stage, nor do I have any reason to believe that his age played any role with Mr. Arellano in making his recommendations. Mr. Pearce's age is not contained anywhere in his application.

9. During the 2019-2021 time period when Mr. Pearce applied to become a Frontier pilot, Frontier not only advanced numerous pilot candidates over the age of 50 to the interview stage, but hired numerous candidates to become Frontier pilots. This included nearly 75 new hire pilots aged between 50 and 59.


I, Bradley Lambert, swear that the foregoing is true and correct to the best of my personal knowledge and belief.



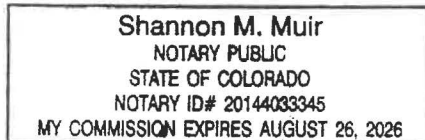
Bradley J. Lambert

Subscribed and sworn to before me on this

21<sup>st</sup> day of August, 2023.

  
Notary Signature

[SEAL]



# EXHIBIT B

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3 - - - - -x

4 WILLIAM M. PEARCE, :

5 Plaintiff, :

6 v. : CASE NO.

7 FRONTIER AIRLINES, INC., : 22cv02635-LKG

8 Defendant. :

9 - - - - -x

10  
11 DEPOSITION OF WILLIAM M. PEARCE

12 Thursday, June 8, 2023

13 10:34 a.m.

14  
15  
16  
17 Job No.: 43618

18 Pages 1 through 110

19 Reported by: Cassandra E. Ellis, RPR, RMR, CRR,

20 Realtime Systems Administrator #823848;

21 CSR-HI #475, CSR-CA #14448, CCR-WA #3484

1 Q. Okay. At Republic and beyond?

2 A. Yes.

3 Q. Okay. Now, currently you are a  
4 pilot for Republic Airlines?

5 A. Correct.

6 Q. We can get into the discussions  
7 with others, maybe a little bit later on, but  
8 have you -- have you posted anything on the  
9 internet or social media sites regarding your  
10 claim?

11 A. Not to my recollection, no.

12 Q. Do you typically post on social  
13 media? I know I don't, so --

14 A. I -- yes, I do, but I don't air my  
15 dirty laundry on social media.

16 Q. So you haven't said anything about  
17 this matter on social media?

18 A. Not to my recollection, no.

19 Q. Okay. Or about Frontier Airlines?

20 A. No, not to my recollection.

21 Q. Okay. And in getting ready for  
22 today, for this deposition, aside from road

1 documents, did you review anything in  
2 preparation for today?

3 A. Oh, I don't think so, no.

4 Q. Now, let's talk about -- I asked  
5 you before if you've ever testified in a  
6 deposition, previously, and you indicated that  
7 this was your first time?

8 A. Correct.

9 Q. Have you ever testified before in  
10 any other legal proceedings?

11 A. No.

12 Q. What about system board  
13 proceedings?

14 A. No.

15 Q. Like union grievances?

16 A. No.

17 Q. Okay. Let's go over your  
18 background a little bit.

19 A. Okay.

20 Q. Because this is a case involving  
21 age, I normally don't ask this question, but  
22 what is your age?



1 A. 60.

2 Q. Okay. And -- and where is your  
3 residence?

4 A. Northern Baltimore County, State of  
5 Maryland, town of Monkton, M-o-n-k-t-o-n.

6 Q. Okay. How long have you been  
7 living in that area?

8 A. 60 years.

9 Q. So you grew up in that area?

10 A. Yes.

11 Q. Would it be fair to say that you  
12 have ties to the community?

13 A. 250 years' worth.

14 Q. So multi-generations in your family  
15 have lived there?

16 A. Seven or eight, maybe nine, yes.

17 Q. And I under -- well, do you do any  
18 volunteer work in your community?

19 A. Extensively.

20 Q. Can -- can you just summarize what  
21 that is? We don't have to get into painstaking  
22 detail.

1 Exhibit 1. Sorry. This is one for you to keep.

2 THE WITNESS: Oh, all righty.

3 (Exhibit No. 1 was marked for  
4 identification.)

5 THE WITNESS: All right. Here's  
6 something I don't think belongs to me. Thank  
7 you.

8 BY MR. PETESCH:

9 Q. And my only question, right now, is  
10 if you recognize this document.

11 A. It would appear to be my Frontier  
12 application, is that correct?

13 Q. That's my belief, so...

14 A. Okay.

15 Q. Does it look familiar to you?

16 A. Yes.

17 Q. Okay. So -- and taking a look  
18 through it, does this look to be the information  
19 that you provided to Frontier Airlines?

20 A. At a brief glance, yes.

21 Q. And we'll go through stuff in more  
22 detail later on.

1 A. Okay.

2 Q. But if it helps you, I wanted to  
3 trace your experience in aviation --

4 A. Okay.

5 Q. -- from a 30,000-foot level --

6 A. Okay.

7 Q. -- for the moment, where you got  
8 started --

9 A. Okay.

10 Q. -- and then bring us up to today.  
11 So where did you get started?

12 A. Embry-Riddle Aeronautical  
13 University, Daytona Beach, Florida.

14 Q. Okay. And did you obtain your  
15 commercial pilot's license after completing your  
16 work at Embry-Riddle? Maybe I should ask: Did  
17 you complete the course at Embry-Riddle?

18 A. I did not complete the four-year  
19 degree, no.

20 Q. And then how did you come to become  
21 a commercial pilot?

22 A. Through going through all the

1 required FAA licensing and rating requirements  
2 through various FAA-approved part 141 schools.

3 Q. And when did -- when did you obtain  
4 your commercial pilot's license?

5 A. I'd have to go back and look at the  
6 specific date, because there's private,  
7 instrument, commercial single engine, commercial  
8 multiengine, commercial instrument multiengine,  
9 ATP, it's -- it's quite an arduous journey.

10 Q. Okay. What license do you -- what  
11 is the -- might not be a very precise question,  
12 but what is the license -- the pilot's license  
13 that you currently hold?

14 A. Unrestricted -- unrestricted  
15 airline transport pilot certificate.

16 Q. And when did you obtain that?

17 A. Again --

18 Q. Again, more or less, I mean --

19 A. I can't give you an honest guess.  
20 I would say maybe early '90s, perhaps.

21 Q. Okay.

22 A. I would say I would have to go back

1 and look.

2 Q. So it would be fair to say more  
3 than 20 years ago?

4 A. Yeah.

5 Q. Okay. And you -- and if you could,  
6 could you identify the part 121 carriers that  
7 you've flown for?

8 A. US Airways.

9 Q. Okay.

10 A. USA3000 Airlines.

11 Q. Mm-hmm.

12 A. I still don't understand where they  
13 got that name from.

14 Republic Airways.

15 That's it.

16 Q. CC Air?

17 A. They were part 135.

18 Q. 135? Okay.

19 A. At the time I was with them, I  
20 don't know if they ever changed their  
21 certificate.

22 Q. Let's start with CC Air --

1 A. All right.

2 Q. -- for a moment.

3 Approximately when -- and you can  
4 look at your application if you want, I'm not  
5 trying to stump you on dates -- but  
6 approximately when did you fly for CC Air?

7 A. 1990 -- 1995 to 1999.

8 Q. Okay. And what kind of equipment  
9 did you fly?

10 A. British Air Space Jet Stream 31-32  
11 and De Havilland-8.

12 Q. Dash 8? Okay.

13 And -- and were you -- well, I take  
14 it you started out as a first officer --

15 A. Correct.

16 Q. -- at CC Air?

17 A. (Nodding.)

18 Q. Did you ever upgrade during your  
19 time at CC Air --

20 A. Yes.

21 Q. -- into the left seat?

22 A. Yes.

1                               When did you finish flying for  
2                               USA3000?

3                               A.     When they -- well, approximately, I  
4                               think, four to six months prior to them  
5                               surrendering their operating certificate back to  
6                               the FAA. Everything's done on seniority, so  
7                               they shrunk the airline and finally my number  
8                               came up.

9                               Q.     Okay. And you were flying in the  
10                              first officer seat when your number came up?

11                             A.     Correct.

12                             Q.     So at USA3000 do you, just due to  
13                             numbers or whatever, you did not upgrade to  
14                             captain?

15                             A.     Correct.

16                             Q.     Did you attempt to upgrade to  
17                             captain at USA3000 as soon as your seniority  
18                             permitted?

19                             A.     No.

20                             Q.     So you waited for a little while?

21                             A.     Yes.

22                             Q.     And what was the -- what was the

1 reasoning for that?

2 A. Quality of life.

3 Q. Where were you based at USA3000?

4 A. I had several bases, Baltimore,  
5 Philadelphia, and in the closing months,  
6 Chicago.

7 Q. ORD or Midway.

8 A. ORD.

9 Q. ORD. Okay. Okay.

10 For the time that you were at  
11 USA3000, was the only equipment that you flew  
12 the A320?

13 A. Yes.

14 Q. And is that the only equipment that  
15 USA3000 flew?

16 A. Yes.

17 Q. Over your history of commercial  
18 piloting, have you ever had any training  
19 failures?

20 A. Ask the question again.

21 Q. Sure. Have you ever experienced  
22 any training failures at any of the commercial



1 carriers you've worked for?

2 A. I had an incomplete evaluation at  
3 Republic Airways.

4 Q. Okay. And approximately when was  
5 that?

6 A. 2018, I believe.

7 Q. Okay. And -- and -- and that's  
8 something that you reported on your application  
9 to Frontier in Exhibit 1?

10 A. Pretty sure I did, yes.

11 Q. Yeah. I think it's going to be the  
12 second to the last page.

13 A. I think the last page. Oh, there  
14 we go.

15 Q. Yeah. So you're right on the year,  
16 2018.

17 A. Maneuvers validation June 2018, my  
18 SIM partner had an incredibly strong --

19 Q. Going too fast.

20 A. Would you like me to read that  
21 or -- for --

22 Q. I -- I just want you to address

1           what occurred.

2                   A.     Well, as --

3                   Q.     And you can either read it or --  
4           that's fine.

5                   A.     As stated in the application, my  
6           yearly maneuvers validation, June 2018, my SIM  
7           partner had an incredibly strong Eastern  
8           European accent. I just could not understand  
9           him. This, in turn, disrupted the flow of the  
10          maneuvers and we ran out of time. I was paired  
11          with another SIM partner and completed the  
12          validation without any problem.

13                  Q.     Okay. And is -- is this the sort  
14          of item that gets reported in Pilot Records Act  
15          Record?

16                  A.     I can't answer that, I'm not  
17          familiar with PRAR.

18                  Q.     Okay. Did you -- did you ever  
19          review your pilot records under PRAR when  
20          applying to Frontier, for example?

21                  A.     No.

22                  Q.     Okay. And -- and did you -- did

1           you -- this -- this is for your annual recurrent  
2           training?

3                   A.     Mm-hmm.

4                   Q.     And did you --

5                   A.     Excuse me, yes.

6                   Q.     And did you -- did you pass on the  
7           next time around with that, with a different  
8           partner?

9                   A.     Without any problem, yes.

10                  Q.     How long had you been flying --  
11           well, when did you start flying for Republic?

12                  A.     2016.

13                  Q.     Okay. And as with all carriers you  
14           would have started in the first officer seat?

15                  A.     Correct.

16                  Q.     Are you still in the first  
17           officer's seat?

18                  A.     I am.

19                  Q.     And when -- well, has your  
20           seniority at Republic enabled you to upgrade to  
21           the left seat?

22                  A.     Yes.

1 Q. I'm sorry.

2 A. So that just opened that whole can  
3 of worms and I withdrew from the class. I went  
4 to my instructors and said, my head's not in it,  
5 and they said, we totally understand. So I  
6 withdrew. Yeah, I withdraw.

7 Q. Okay. And approximately when was  
8 it that you were in the upgrade class, well,  
9 what year?

10 A. 2019 or perhaps 2020, I'm not sure.

11 Q. Okay. Are you considering, at this  
12 point, upgrading at Republic?

13 A. It's a quality of life question.  
14 Having lost three family members in car wrecks  
15 it totally brought home how precious life is, so  
16 if I'm able to hold a decent domicile at a  
17 decent seniority, yes.

18 Q. If -- if you upgraded now, to  
19 captain, would you be able to keep your domicile  
20 at DCA?

21 A. I believe so. Again, I have to  
22 look at the numbers.

1 have been had you --

2 A. No.

3 Q. Any awareness, sitting here, of how  
4 many others were applying around the same time  
5 as you?

6 A. Nobody has those numbers, except  
7 individual companies.

8 Q. Were there any other applicants to  
9 Frontier around the time you applied, from  
10 Republic, who you knew?

11 A. Not that I'm aware of, but it's not  
12 something pilots advertise.

13 Q. Let's -- let's go through the  
14 application process, just a little bit.

15 A. Okay.

16 Q. What did you do to apply?

17 A. I don't believe I understand the  
18 question.

19 Q. Sure. It wasn't very artfully  
20 phrased.

21 Walk me through the process of how  
22 it got started for you.

1           A.    Like every other airline, you go  
2           online and fill out an application.

3           Q.    Okay.  And that's what you did, as  
4           well?

5           A.    Yes.

6           Q.    Did you -- did you do anything else  
7           to try to further your application?

8           A.    Reached out to former coworker Brad  
9           Lambert.

10          Q.    Okay.  And Brad Lambert is the vice  
11          president of flight ops at Frontier?

12          A.    I believe that's his title.  Some  
13          people call it director of flight ops, some  
14          people call it director of operations.  I'm not  
15          sure what's printed on his business card.

16          Q.    But your understanding, at the  
17          time, was that he was a management pilot at  
18          Frontier?

19          A.    Yes.

20          Q.    Okay.  And how did you come to know  
21          Brad Lambert?

22          A.    Working with him at USA3000

1                   A.    Again, background, resum? items, I  
2                   believe there was some community volunteer  
3                   questions.

4                   Q.    As reflected on your application?

5                   A.    Yes.

6                   Q.    Did he ask you about your flight  
7                   hours, any questions about your flight hours?

8                   A.    Ask the question a different way,  
9                   please.

10                  Q.    Sure. Did you cover, in your  
11                  conversation, your flight hours?

12                  A.    Yes.

13                  Q.    What do you recall discussing about  
14                  your flight hours in that conversation?

15                  A.    Specifically, he told me on three  
16                  separate occasions that my resum? is great,  
17                  you're the type of candidate we want. However,  
18                  you have over 13 or 14,000 hours, at the time.  
19                  And I said, yes, I bring a lot of experience to  
20                  the table.

21                               And he goes, well, here's the rub,  
22                  the pilot review hiring committee will not hire

1 anybody over 7,000 to 7,500 hours, at which I  
2 silently choked.

3 Q. Did he say anything else about  
4 that?

5 A. Yes.

6 Q. What did he say?

7 A. In my response to: Why is that?  
8 He responded back that the pilot review hiring  
9 committee feels that people with your experience  
10 and time in the aircraft are considered  
11 untrainable and too set in your ways. I choked  
12 again, silently, in disbelief.

13 Q. Did you --

14 MR. PETESCH: Let's go off record a  
15 second.

16 THE VIDEOGRAPHER: The time is  
17 11:38 a.m.

18 We are off the record.

19 (Recess.)

20 THE VIDEOGRAPHER: The time is now  
21 11:48.

22 We are back on the record.



1           A.     And again, thunderstruck, and I  
2     would circle back again. I circled two  
3     additional times to hear the statements said  
4     basically the same way three times.

5           Q.     And did Mr. Arellano identify who  
6     was on the pilot review -- pilot hiring  
7     committee?

8           A.     No. I wouldn't have expected him  
9     to.

10          Q.     In -- in the conversation with  
11     Mr. Arellano, did he ask you your age?

12          A.     No.

13          Q.     Did you volunteer your age?

14          A.     No.

15          Q.     Did he ever say, in the  
16     conversation, that your age was a concern?

17          A.     Indirectly.

18          Q.     What do you mean by indirect?  
19     Explain what you mean by indirectly.

20          A.     In this industry, 15 -- 14 --  
21     13,000 hours and above is a considerable amount  
22     of time. And if you've been in -- if you have

1 was one about the three feet of snow, which I  
2 think we saw --

3 A. Yeah.

4 Q. -- in some of the others?

5 A. There was the one about: Hope to  
6 see you on the property soon or looking forward  
7 to seeing you. Check your voicemail, wink-wink,  
8 nod-nod.

9 Q. Mm-hmm.

10 A. You know, all very positive,  
11 encouraging, affirmative statements that he  
12 wanted to see me as an employee at Frontier.  
13 And certainly between the initial conversations  
14 here, around February 16th, until we get into  
15 the end of March, he -- and the committee, or  
16 not the committee, but HR folks, had a chance to  
17 review Exhibit 1.

18 Q. Your application?

19 A. Yes. And he was still very  
20 encouraging. So there weren't any red flags  
21 expressed at the time. He was very positive  
22 about the exchange and insinuated that: Look

1 of days later?

2 A. Oh, very much so, yes.

3 Q. Did you report to Brad, to the best  
4 of your recollection -- strike that.

5 You -- you had a further exchange  
6 with Brad, and this is on the first page of  
7 Exhibit 5, getting specific on what Jerry  
8 Arellano told you in your conversation, and you  
9 have: His words were that some believe on the  
10 review committee that with flight times like  
11 mine that it was felt that we are untrainable  
12 and too set in our ways; do you see that?

13 A. Yes. And that's a reiteration of  
14 what I sent to him an hour before.

15 Q. And in -- to the best of your  
16 recollection, was that as close to a direct  
17 quote as you recall?

18 A. Yes. I say it very clearly in two  
19 different e-mail conversations.

20 Q. Did -- did -- did Mr. Arellano ever  
21 use the term age in your conversation?

22 A. I believe in one of the circling

1           backs he -- I believe he might have, yes.

2                   Q.    Okay.  You can't say definitively  
3           whether he --

4                   A.    No.

5                   Q.    -- said age?

6                   A.    But it was -- the intent is very  
7           clear.

8                   Q.    Well, you inferred, based on flight  
9           hours, that he meant years of experience --

10                  A.    Jerry's statements was --

11                  Q.    That he meant years of experience  
12           and/or age?

13                  A.    Yes.  And that derived from the  
14           number of flight hours.  His words were, well,  
15           I'm looking at your flight time.  Here's the  
16           rub, or something to that effect.  And that's  
17           when he proceeded to continue about the pilot  
18           review hiring committee.

19                  Q.    Okay.  Okay.  So going back to your  
20           e-mail exchange with Brad, after that?

21                  A.    Okay.

22                  Q.    In Exhibit 5?

1 during any of the conversations or did you just  
2 call him afterwards and say --

3 A. I called him less than a minute  
4 after I hung up with Jerry, saying: You're not  
5 going to believe this, and he was as  
6 thunderstruck as I was.

7 Q. What did you tell James about the  
8 conversation?

9 A. I told him everything, verbatim,  
10 even went onto comment, as I have here today,  
11 isn't this the -- what they teach you in HR101,  
12 you don't say or imply, you know, these  
13 different things.

14 Q. And -- and your view is that the  
15 implication of bringing up flight hours is that  
16 he meant -- or that -- or he meant that -- let  
17 me strike that.

18 It was your inference that in  
19 referring to flights hours he was referring to  
20 age?

21 A. Yes, absolutely, as was James, and  
22 as was anybody that I've spoken to about this in

Frontier Airlines, Inc. is an equal opportunity employer and, as such, is committed to providing equal employment opportunities to all qualified applicants without regard to race, color, religion, sex, national origin, age, marital status, veteran status, sexual orientation, gender identity or expression, disability status, pregnancy, genetic information, citizenship status or any other basis protected by federal, state, or local laws. This policy applies to all terms and conditions of employment, including: recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

## PERSONAL INFORMATION

First Name:	william		Last Name:	pearce	
Street Address:	2334 Shepperd rd. / pob 576				
City:	monkton	State:	MD	Zip:	21111
Country:	USA				
Passport Number:			Issued Date:		
Expired Date:					
Country of Issuance:	usa		Country of Legal Residence:	usa	
Aliases:					
Last Date Updated:	5/24/2021 3:26:12 PM				
Home Phone:	410-472-4415		Email Address:	fly21111@comcast.net	
Cell Phone:	410-627-5200		Fax Number:		
Business Phone:					
Date of Availability:	2 weeks notice				

## ADDRESS HISTORY

From	To	Address	City	State	Zip
6/1/1991	Present	2334 Shepperd rd. / pob 576	monkton	MD	21111

## EDUCATION HISTORY

Years of College:	2	Degree:	Associate	Fluent in English:	Yes	Other Languages:	english																								
Professional Development:	<table border="1"> <tr> <td>From:</td> <td>9/16/2013</td> <td>To:</td> <td>9/27/2013</td> </tr> <tr> <td>School:</td> <td colspan="3">National Transportation Safety Board</td> </tr> <tr> <td>Address:</td> <td colspan="3">45065 Riverside Parkway</td> </tr> <tr> <td>City:</td> <td>Ashburn</td> <td>State:</td> <td>VA</td> </tr> <tr> <td>Program:</td> <td colspan="3">Aircraft Accident Investigation , 2 week course</td> </tr> <tr> <td>Graduate:</td> <td>Yes</td> <td>GPA:</td> <td>4.00</td> </tr> </table>							From:	9/16/2013	To:	9/27/2013	School:	National Transportation Safety Board			Address:	45065 Riverside Parkway			City:	Ashburn	State:	VA	Program:	Aircraft Accident Investigation , 2 week course			Graduate:	Yes	GPA:	4.00
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City:	Ashburn	State:	VA																												
Program:	Aircraft Accident Investigation , 2 week course																														
Graduate:	Yes	GPA:	4.00																												
University - U.S. Accredited:	<table border="1"> <tr> <td>From:</td> <td>5/1/1984</td> <td>To:</td> <td>9/1/1985</td> </tr> <tr> <td>School:</td> <td colspan="3">Embry-Riddle Aeronautical University - Daytona Beach</td> </tr> <tr> <td>Address:</td> <td colspan="3">600 S Clyde Morris Blvd</td> </tr> <tr> <td>City:</td> <td>Daytona Beach</td> <td>State:</td> <td>FL</td> </tr> <tr> <td>Program:</td> <td colspan="3">aero science</td> </tr> </table>							From:	5/1/1984	To:	9/1/1985	School:	Embry-Riddle Aeronautical University - Daytona Beach			Address:	600 S Clyde Morris Blvd			City:	Daytona Beach	State:	FL	Program:	aero science						
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Address:	600 S Clyde Morris Blvd																														
City:	Daytona Beach	State:	FL																												
Program:	aero science																														

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Graduate: No

GPA:

Educational Achievements:

## DRIVERS RECORD

License:

State: MD

Class: C

Expires:

List ALL driving violations, including DUI, speeding, suspension or revocation. List each offense, City/State and Dates:

*No Driving History Recorded*

## CRIMINAL RECORD

Violated TSR (Transport Safety Regulations):

No

TSR Comments:

In the past ten (10) years, have you ever been convicted of a crime involving a felony, misdemeanor, infraction, or violation of any law? Please exclude all traffic violations.

No

If yes, explain all details (Non-Traffic violations only).

Driving While Impaired:

No

Under the Influence:

No

Driving While Intoxicated:

No

License Suspended:

No

License Revoked:

No

Additional Details:

## EMPLOYMENT &amp; BACKGROUND INFORMATION

Federal Regulations require that a background check be conducted on all persons prior to their being cleared for unescorted access to airport secure areas. The background check requires verification of representations made by the applicant relating to employment and other activities during the preceding 10 years. To meet this requirement, **PLEASE PROVIDE INFORMATION COVERING ALL PERIODS OF EMPLOYMENT, UNEMPLOYMENT, SCHOOLING, OR OTHER ACTIVITIES FOR THE PAST 10 YEARS.** You must provide us with the means of verifying your status for the full 10-year period. This check must be completed before you can be issued identification authorizing unescorted access to airport security areas.

FAA requires that a minimum of ten (10) year employment history be done on all new employees. You must be able to thoroughly furnish below the names of businesses, persons, references and their telephone numbers who may be contacted to confirm your employment, self-employment, school history and/or unemployment over the past 10 years. This information must be over a continuous 10-year period, leaving NO GAPS IN TIME including time spent caring for children, attending school, traveling, etc.

Applicants will be fingerprinted and are subject to an FBI Records Check prior to employment.

**INSTRUCTIONS:**

1. Begin with your current activities and list in reverse chronological order (go backwards in time) covering 10 years with no gaps. Include employment, unemployment, schooling, and all other activities.
2. Provide complete names, zip codes, daytime phone numbers, and job titles.
3. For military service, provide a copy of your DD-214.
4. For education, you may submit transcripts for school verification.
5. For description of responsibilities, resume with a description of those responsibilities may be included. Put "See Resume" for responsibilities on this form.

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## EMPLOYMENT - GENERAL

Legal to work in U.S.:	Yes	Able to Relocate:	Yes
Contact present employer:	Yes	Contact previous Employer:	Yes
Ever discharged for misconduct:	No		
Details:			

## EMPLOYMENT - PRESENT

From:	2/2/2016	To:	Present
Company:	Republic Airways	Part 121:	Yes
		Part 135:	No
Address:	8909 Purdue Rd		
City:	Indianapolis	State:	IN
		Zip:	46268
Position:	Pilot		
Duties:	Aircraft pilot		
A/C Flown:	ERJ 175		
Flight Hours per Month:	85		
Supervisor:	Ashley Gomez	Phone:	317-484-6000
Reason for Leaving:			

## EMPLOYMENT - HISTORY

From:	2/1/2012	To:	2/1/2016
Company:	Taylor Technologies	Part 121:	No
		Part 135:	No
Address:	31 Loveton circle		
City:	Sparks	State:	MD
		Zip:	21152
Position:	Pilot / mechanical fabricator		
Duties:			
A/C Flown:	F 90		
Flight Hours per Month:	15		
Supervisor:	JB Babcock	Phone:	410-599-2369
Reason for Leaving:	Project completed - to return to airlines		
From:	11/17/2003	To:	2/1/2012
Company:	USA3000 Airlines	Part 121:	Yes
		Part 135:	No

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Address:	335 Bishop Hollow Road, Newtown Square				
City:	Newtown Square	State:	PA	Zip:	19073
Position:	pilot				
Duties:	pilot A320 aircraft				
A/C Flown:	A320				
Flight Hours per Month:	65				
Supervisor:	Vanakay Hurnivich	Phone:	(610) 325-1280		
Reason for Leaving:	company ceased operations				
From:	2/1/2003	To:	11/16/2003		
Company:	pearce enterprises	Part 121:	No	Part 135:	No
Address:	pob 576				
City:	monkton	State:	MD	Zip:	21111
Position:	owner				
Duties:	home repair				
A/C Flown:	na				
Flight Hours per Month:	na				
Supervisor:	william pearce	Phone:	410-472-2399		
Reason for Leaving:	return to aviation				
From:	7/5/1999	To:	2/1/2002		
Company:	usairways	Part 121:	Yes	Part 135:	No
Address:	2345 crystal dr.				
City:	arlington	State:	VA	Zip:	22227
Position:	pilot				
Duties:	pilot aircraft				
A/C Flown:	b 737				
Flight Hours per Month:	70				
Supervisor:	jim corbusier	Phone:	703-872-7000		
Reason for Leaving:	furloughed after 9-11				
From:	9/18/1995	To:	7/1/1999		
Company:	ccair / dba usairways express	Part 121:	No	Part 135:	Yes
Address:	5301 terminal rd.				
City:	charlotte	State:	NC	Zip:	28208

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Position:	pilot		
Duties:	pilot aircraft		
A/C Flown:	ba-31 / dash-8		
Flight Hours per Month:	95		
Supervisor:	ken humphries	Phone:	704-359-8990
Reason for Leaving:	to take job with usairways		

### UNEMPLOYMENT / FURLOUGH

From	To	Type	Description
2/1/2012	2/25/2019	Lay Off	USA 3000 Airlines ceased operations permanently.
2/1/2002	2/25/2019	Furlough	Furloughed from USAIRWAYS post 9 - 11

#### Unemployment Details:

jan-2002 - feb 2003 was not formally employed. I have a history in construction and work odd constuction jobs for this period. In feb 2003 I incorporated and started my own company.  
2-2012 - 12-2012 not formally employed in aviation.

### EMPLOYMENT - MISC.

#### Legacy:

#### Professional Memberships:

Butler Vol. Fire Dept. - joined on my 16th birthday. Rapidly climbed the ranks to attain the position on second lieutenant. Not only was I a firefighter, I also was training officer for several years. I was responsible for all of the in house training for new members.

#### ALPA

#### Achievements and Awards:

Maryland Governors Salute to Excellence Commendation. Awarded for performance on western states fire fighting detail.  
I was the youngest firefighter to be made a fire line officer in the fire department I am a member.  
Department of Homeland Security - Service Commendation - FFDO

#### Volunteer / Charity Work:

Created and continue to run an annual Red Cross Blood drive. 2019 was our twelfth anniversary. Unfortunately due to COVID we had to cancel the 2020 & 2021 drives.  
The Red Cross has recognized me for my very consistent and highly productive blood drive.  
Butler Volunteer Fire Department member since 1980. Civil Air Patrol.  
Civil Air Patrol  
Civil Air Patrol  
Civil Air Patrol  
I also participate in several annual steeplechase racing events that are fund raising events for local hospitals.

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Co chair & founder of an annual "Barn Dance" that benefits the Kauffman Cancer Center , part of the Upper Chesapeake Medical Center.

## MILITARY HISTORY

*No Military Service Recorded*

## PILOT EXPERIENCE - GENERAL

Chief Pilot:	No	Director of Operations:	No	Director of Safety:	No
Check Airman:	No	FAA Examiner:	No	FAA Approved Program Examiner:	No

## PILOT & FE CERTIFICATES AND RATINGS

Airplane MultiEngine Land (AMEL):	ATP	Cert. Number:		Issue Date:	
Flight Engineer:		Cert. Number:		Issue Date:	
FE Turbojet:		FE Turboprop:		FE Reciprocating:	
Airplane SEL:	Yes	Airplane MEL:	Yes	Airplane SES:	No
Rotor Helicopter:	No	Rotor Gyroplane:	No	Airplane MES:	No
Wingless:	No	Balloon:	No		
Powered Lift:	No	Glider:	No		
Turbine Types:	Yes	B-737 Types:	Yes	Large Aircraft Types:	Yes
Instrument Airplane:	Yes	Instrument Helicopter:	No	Instrument Powered Lift:	No

## INSTRUCTOR CERTIFICATES AND RATINGS

Flight Instructor:		Issue Date:	
Ground School:		Issue Date:	
Airplane Single Engine:	No	Airplane Multi Engine:	No
Rotor Helicopter:	No	Rotor Gyroplane:	No
Glider:	No		
Powered Lift:	No		
Instrument Airplane:	No	Instrument Helicopter:	No
Instrument Powered Lift:	No		
Ground Instructor - Basic:	No	Ground Instructor - Advanced:	No
Ground Instructor - Instrument:	No		

## FAA WRITTEN TESTS

ATP Date:		Current:	Yes*	FE Turbojet Date:	12/28/1996	Current:	No
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FE Turboprop Date:		Current:	No	FE Recip Date:		Current:	No
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\* Holds ATP or rATP certificate

## FAA MEDICALS

Class:	First	Issued:	10/13/2020	Restrictions:	must posses glasses for near vision
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## MISC CERTIFICATES

Dispatcher:		Issued:		Airframe & Powerplant:		Issued:	
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FCC Permit:	Yes
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## FAA ACTIONS

Had Accident:	No	Had Incident:	No	Been Violated:	No
Certs/Ratings/Licenses suspended or revoked:	No				
FAA administration actions taken:	No				
FAA penalty or fine paid:	No				
Details:					

## AIRCRAFT FLOWN

Model	Power/ Class	Cat	P/C	Instr	SIC	Dual	Other	FE	Total	Typed	Last Flown
a-320	Turbine MEL	Transport	0	0	4768	0			4768	Yes	1/2012
E 175	Turbine MEL	Transport	0	0	2705	0	0	0	2754	Yes	5/2021
ba-31	Turbine MEL	Commuter	1132	0	1186	0			2318	Yes	6/1999
c- 172, 172xp2	Piston SEL	Normal	1195	0	0	0			1195	No	7/1993
b 737	Turbine MEL	Transport	0	0	1046	0			1046	Yes	-
j3, j5, pa18, 8gcbc	Piston SEL	Normal	360	0	0	0			360	No	6/1991
f-90	Turbine MEL	Normal	347	0	0	0	0	0	359	No	11/2015
d-8	Turbine MEL	Commuter	0	0	335	0			335	No	6/1997

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pa 23 pa 34	Piston MEL	Normal	41	0	0	0			41	No	6/1992
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## FLIGHT TIME BY CONDITIONS

Flight Conditions:

Airplane Night	Airplane Actual Instrument	Airplane Sim Instrument	Airplane Cross Country
0	0	0	0
Rotor Night	Rotor Actual Instrument	Rotor Sim Instrument	Rotor Cross Country
0	0	0	0

Simulator:

PIC	Instructor	SIC	Dual
0	0	0	0

Instrument Approaches:

Within 6 Months	Within 12 Months
0	0

Military Sorties:

PIC	Instructor	SIC	Dual
0	0	0	0
Turbine	Multi-engine		
0	0		

## FLYING TIME SUMMARY

Total by Category and Class:					
Airplane SES	Airplane SES	Airplane MEL	Airplane MES	Airplane Multi Engine	Helicopter Rotor
1555	0	11621	0	11621	0
Total by Type of Time:					
PIC	Instructor	SIC	Dual	Other	Flight Engineer
3075	0	10040	0	0	0
Total Summary:					
Airplane PIC*	Airplane Turbine	Turbine Fixed Wing	Airplane Total	Total Time	Last Flown Aircraft
3075	11580	11580	13176	13176	E 175, 5/2021

\*PIC = PIC + Instructor

Rotor time is only included in Aircraft Total time calculation

## ADDENDUM

Have you ever worked for Frontier Airlines?	No
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Can you produce all of your original logbooks and endorsements (or, if you utilize electronic logbooks, copies of applicable signoffs)?	Yes
If you answered no: will you be able to produce copies of your company/flight school sign-offs, endorsements, and FAA documents detailed in Advisory Circular (AC) 120-6SG, Appendix 9 (including 8060-5, 8060-72 and 8710-1) at the interview?	Yes
From your first flight hour to present, please disclose any and all check rides, stage checks, line checks, PCs, PTs, AQP or any other training event failed or not satisfactorily completed.	
<p>- my primary instrument rating . This was in 1987 I believe. The designated examiner failed ALL of his instrument pilots the first ride. I got the standard ; you incorrectly copied holding instructions.</p> <p>- my yearly maneuvers validation , June 2018. My sim partner had an incredibly strong Eastern European accent. I just couldn't understand him. This in turn disrupted the flow of maneuvers and we ran out of time. I was paired with another sim partner and completed the validation without any problem.</p>	
Do you have the ability to work in Canada?	Yes

## TRANSPORTATION SECURITY REGULATION DISCLOSURE

An individual is disqualified if the individual has been convicted, or found not guilty by reason of insanity, of any of the disqualifying crimes listed below during the 10 years before the date of the individual's application for authority to perform covered functions, or while the individual has the authority to perform covered function.

1. Forgery of certificates, false marking of aircraft and other aircraft registration violation.
2. Interference with air navigation.
3. Improper transportation of a hazardous material.
4. Aircraft piracy.
5. Interference with flight crewmembers or flight attendants.
6. Commission of certain crimes aboard aircraft in flight.
7. Carrying a weapon or explosive aboard aircraft.
8. Conveying false information and threats.
9. Aircraft piracy outside the special aircraft jurisdiction of the United States.
10. Lighting violations involving transporting controlled substances.
11. Unlawful entry into an aircraft or airport area that serves air carriers or foreign carriers contrary to established security requirements.
12. Destruction of an aircraft or aircraft facility.
13. Murder.
14. Assault with intent to murder.
15. Espionage.
16. Sedition.
17. Kidnapping or hostage taking.
18. Treason.
19. Rape or aggravated sexual abuse.
20. Unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon.
21. Extortion.
22. Armed or felony unarmed robbery.
23. Distribution of or intent to distribute a controlled substance.
24. Felony arson.
25. Felony involving a threat.
26. Felony involving: I. Willful destruction of property; II. Importation or manufacture of a controlled substance; III. Burglary; IV. Theft; V. Dishonesty, fraud and misrepresentation; VI. Possession or distribution of stolen property; VII. Aggravated assault. VIII. Bribery; or IX. Illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than 1 year.
27. Violence at international airports.
28. Conspiracy or attempt to commit any of the criminal acts listed above.

In the past ten (10) years, have you ever been convicted or found not guilty by reason of insanity of any of the above listed crimes?	No
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I understand that I am under continuous obligation to disclose to Frontier Airlines, Inc. and any Airport where I have an active SIDA badge any convictions within 24 hours of any disqualifying criminal offense or having been found not guilty by reason of insanity that occurs while I have unescorted access authority.

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The information I have provided on this application is true, complete and correct to the best of my knowledge and belief and is provided in good faith. I understand that a knowing and willful false statement on this application can be punished by fine or imprisonment or both. (See section 1001 of Title 18 United States Code)

I understand that I may obtain a copy of my criminal history records sent to Frontier Airlines, Inc. by submitting a written request to Human Resources within 30 days of being advised that my criminal history record disqualifies me from being issued an airport badge. I understand that if I believe that any information is inaccurate, I may directly contact the agency that reported the disqualifying conviction to correct my record.

**Print Full Name**

**Signature**

**Date**

**Privacy Act Notice**

Authority: The authority for collecting this information is 49 U.S.C. 114, "Transportation Security Administration", and 49 U.S.C. 44936, "Employment Investigations and Restrictions".

Purpose: This information is needed to verify your identity and to retrieve your criminal history record to evaluate your suitability for access to airport sterile areas and security identification display areas (SIDA), and aircraft. Your Social Security number will be used as your identification number in this process and to verify your identity. Furnishing this information, including your SSN, is voluntary, however, failure to provide it will prevent the completion of your criminal history records check, without which you may not be granted aircraft, sterile area, or SIDA access.

Routine Uses: Routine uses of this information include disclosure to the U.S. Office of Personnel Management for processing and data verification, to the FBI to retrieve your criminal history record, to the TSA contractors or other agents who assist in the maintenance and operation of the fingerprint system, to airport operators to evaluate sustainability for aircraft, sterile area, or SIDA access, to appropriate governmental agencies for law enforcement or security purposes, or in the interest of National Security, and foreign and international governmental authorities in accordance with law and international agreement.

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# EXHIBIT C



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

CASE NO.: 22cv02635-LKG

WILLIAM M. PEARCE,  
Plaintiff,  
vs.  
FRONTIER AIRLINES, INC.,  
Defendant.

REMOTE DEPOSITION OF GERARDO ARRELANO

June 14, 2023

S T I P U L A T I O N S

IT IS STIPULATED AND AGREED by and between the parties, through their respective counsel, that the deposition of GERARDO ARRELANO, may be taken remotely before Kathleen Cavazos, Commissioner, at 828 Ralph McGill Boulevard, Northeast, Atlanta, Georgia 30306, on the 14th day of June 2023.

IT IS FURTHER STIPULATED AND AGREED that the signature to and the reading of the deposition by the witness is waived, the deposition to have the same force and effect as if full compliance had been had with all laws and rules of Court relating to the taking of

1 A. Correct.

2 Q. What state are you currently residing in?

3 A. In Georgia.

4 Q. And where are you currently employed?

5 A. Delta Professional Services.

6 Q. And what is Delta Professional Services?

7 A. They provide flight instruction for Delta  
8 pilots.

9 Q. And is it affiliated or owned by Delta Airlines?

10 A. It is.

11 Q. How long have you been working there?

12 A. Less than a year. I started in October.

13 Q. And were you employed for a period of time with  
14 Frontier Airlines?

15 A. Yes, I was.

16 Q. And where were you based then?

17 A. In Denver.

18 Q. What was your position and responsibilities,  
19 just from 30,000 feet?

20 A. Senior manager of talent acquisition, so  
21 responsible for all hiring for Frontier Airlines.

22 Q. Did that include hiring of flight crews?

23 A. Yes, sir.

24 Q. Pilots?

25 A. Yes.

1 Q. Can you tell us what it is?

2 A. It's an airline apps application.

3 Q. And is that the application platform, for lack  
4 of a better word, that you used at Frontier at the time  
5 in early 2021?

6 A. Yes.

7 Q. Do you recognize this particular application?

8 A. Can you clarify?

9 Q. Yeah. Do you remember reviewing an application  
10 from Mr. Pearce?

11 A. Yes.

12 Q. And is this the one that you reviewed? And feel  
13 free to look through it. It's 10 pages long.

14 A. I have it on my phone, so I'm just going to look  
15 through it quickly.

16 Q. Sure.

17 A. Yes. This looks familiar.

18 Q. Okay. Let me -- I'm going to ask you some  
19 questions about it, but let me ask some other ones,  
20 first. Did you conduct a screening interview with  
21 Mr. Pearce?

22 A. Yes.

23 Q. And what -- Describe for us the process -- I'm  
24 sorry? I heard another noise. Never mind.

25 Did every applicant get a screening interview?

1 Every pilot applicant, I should say.

2 A. It was a screening of form, not necessarily a  
3 screening call.

4 MR. PEARCE: Clarify that, please.

5 A. Not a screening interview like a phone call.

6 MR. PEARCE: What was the purpose of it?

7 MR. PETESCH: Wait. Mr. Pearce --

8 MR. PEARCE: Sorry. Sorry.

9 MR. PETESCH: No, no. You're going to get your  
10 chance after I go. I mean, you're new to this process,  
11 so it's not a problem, but I will ask -- I'll ask the  
12 question for you at this point.

13 Q. What was the purpose of the phone screening?

14 A. The purpose of the phone screening was I was  
15 asked to give him a call and speak with him to screen him  
16 for the role of first officer.

17 Q. For the role of first officer?

18 A. Yes.

19 Q. Were you aware at the time that Mr. Pearce also  
20 knew other members of Frontier operations management?

21 A. I'm not sure, being new. I was just asked to  
22 give him a call.

23 Q. Who asked you to give him a call?

24 A. It was Brad Lambert.

25 Q. And what role did Brad Lambert fill at the time?

1 A. VP of flight ops, flight operations.

2 Q. Did you -- Other than him asking you to give  
3 Mr. Pearce a call, did you communicate with Brad Lambert  
4 on Mr. Pearce's application on other occasions?

5 A. Yes, after the call.

6 Q. Now, I'm going to focus for a moment on the  
7 application itself and ask you, looking at the  
8 application, what were your impressions at the time that  
9 you reviewed it?

10 A. There was a little bit of concern with the  
11 application, and this is prior to speaking with  
12 Mr. Pearce.

13 Q. What were the concerns that you had?

14 A. The concern was the total flight time recorded  
15 and the addendum that was filled out at the bottom of the  
16 application.

17 Q. What was the concern regarding the addendum?  
18 And let's see what page that's on.

19 A. I can't find a page on -- Oh, there we are. It  
20 is page nine of 10.

21 Q. Page nine of 10?

22 A. Uh-huh.

23 Q. What was your concern on that page?

24 A. Right above the section right here where it says  
25 "My primary instrument rating." This section, the main

1 concern was the second entry, the maneuvers validation.

2 Q. What were the concerns surrounding that?

3 A. The reference to the issue of the incident that  
4 he explains here was more attributed to a language  
5 barrier and nothing accounting for his contribution to  
6 the situation.

7 Q. So what was your -- Why were you concerned with  
8 that?

9 A. Ultimately, what we look for if there is a  
10 situation that is listed here, we want to see  
11 accountability and what did the individual learn from it.  
12 Did the individual learn, and what was the take out of  
13 that and what was the improvement that he made sure that  
14 something like this would never happen again. So this is  
15 what I was looking for in this section, which then  
16 prompted the call as well.

17 Q. In reviewing the application of Mr. Pearce, did  
18 you know his age?

19 A. No.

20 Q. Do you know his age now?

21 A. I do not.

22 Q. You also mentioned the flight hours being a  
23 matter of concern to you, can you describe why that was  
24 an issue to you?

25 A. The number of hours were high for, typically,

1 the individuals that we would bring in to interview for  
2 Frontier. It was over the --

3 Q. And why was that?

4 A. Why was it high or why was it --

5 Q. No, why was that a matter of concern, the higher  
6 number of flight hours?

7 A. The higher number of hours, when we look at  
8 that, we also take a look at whether they were a captain,  
9 whether they were first officer. In the original  
10 screening, I didn't see -- not on this page, but I didn't  
11 see that he had upgraded to the left seat or to the  
12 captain's seat, which then provoked the thought of he had  
13 a high number of hours but never upgraded to captain,  
14 which also was a little bit of a concern. Was there a  
15 reason? Obviously, the question comes up, was there a  
16 particular reason that he did not upgrade, and it wasn't  
17 referenced anywhere on his application. So it was just a  
18 question that came up as to why.

19 Q. In terms of the high hours, did you have a  
20 desired threshold at Frontier for hiring?

21 A. We did. I'm trying to think of what the  
22 threshold was. It was between -- From my recollection,  
23 between seven to eight thousand hours, was the cap, I  
24 think, at that time.

25 Q. Okay. So I'm going to shift focus a little bit.

1 Well, did you have these concerns prior to your call or  
2 your screening call with Mr. Pearce?

3 A. Yes.

4 Q. I'm going to shift gears to the screening call  
5 itself. Do you recall an approximate --

6 MS. BOSILOVIC: Peter, I'm sorry. Would you  
7 like me to stop sharing my screen?

8 MR. PETESCH: Yeah. That's fine. Thank you.

9 Q. What's your recollection of the discussion that  
10 you had in the screening call with Mr. Pearce?

11 A. It was introduction of each other. We discussed  
12 his background. I believe he maybe shared some personal  
13 side of his journey, and then we dove into the  
14 application specifically, but the call was more so  
15 questions about Frontier, why Frontier and his goal about  
16 joining Frontier Airlines.

17 Q. And what were your impressions from his  
18 responses on that?

19 A. They were general responses. Ultimately, what  
20 we would look for -- what I was looking for is why he  
21 wanted to join Frontier, not why he wanted a pilot role.  
22 Ultimately, the intent there is to make sure the  
23 individual is going to be a culture fit. So the  
24 responses were very general. They were not specific to  
25 Frontier, and I felt that he didn't have a lot of



1 information about the company, the brand, and, therefore,  
2 it was just a general conversation.

3 Q. Was the issue of flight hours discussed?

4 A. I believe he had asked about the hours, but  
5 initially, we didn't discuss as part of -- from my  
6 recollection, I don't recall that came in until after --  
7 toward the end of the conversation when he was asking the  
8 why.

9 Q. Was the issue of his age discussed?

10 A. No, not at all.

11 Q. Did you tell Mr. Pearce that his age would be a  
12 problem with his application?

13 A. No, sir.

14 Q. Did his responses in the screening call raise  
15 any concerns with you?

16 A. The responses were most similar to the  
17 application. When he did share the situation that was  
18 just up on the screen here just a bit ago, he also didn't  
19 take accountability. And so, ultimately, I was looking  
20 to see what his contribution was to that situation.  
21 Ultimately, it's important for the pilot of Frontier to  
22 ensure that if there was a situation or infraction or an  
23 incident, that they learned from it and they grew from  
24 it, and I didn't get that sense from him or in his  
25 response.

1 Q. Based on the call that you had with Mr. Pearce,  
2 I think you mentioned that you had a discussion with  
3 Mr. Lambert again after the call. Did you?

4 A. I did.

5 Q. What do you recall from that discussion?

6 A. I shared with him how the screening went. I  
7 shared with him what Mr. Pearce had shared with me  
8 specifically about the incident and the lack of  
9 accountability and that his answers were very general in  
10 nature, not to Frontier.

11 Q. What was your recommendation with respect to  
12 moving Mr. Pearce along with the recruiting process, with  
13 the interviews?

14 A. I recommended that we hold it at this time and  
15 not bring him in.

16 Q. And why was that?

17 A. Just, again, it was more so on the lack of  
18 accountability, was the primary piece. The number of  
19 high hours, obviously, was another piece and that he  
20 hadn't upgraded to captain. So it was a combination.

21 Q. Did you recommend not moving him along because  
22 of his age?

23 A. No.

24 Q. Did his age play any factor in that?

25 A. No.

1 Q. Did you know his age at the time?

2 A. No.

3 Q. I'm going to show you --

4 MR. PETESCH: And, Alexis, if you could help me  
5 out on that, Pearce (sic) Exhibit Number 2 -- well,  
6 Arrelano Exhibit Number 2. Are you able to do a Screen  
7 Share with that, Alexis?

8 MS. BOSILOVIC: Yes.

9 MR. PETESCH: And, Mr. Pearce, I also emailed a  
10 copy of that to you. You might have had that from the  
11 previous EEOC matter.

12 MS. BOSILOVIC: And can you all see my screen,  
13 and is this the exhibit you'd like to use, Peter?

14 MR. PETESCH: It is.

15 A. I can see it.

16 MR. PETESCH: Can everybody see the exhibit?  
17 Mr. Pearce, can you see it?

18 MR. PEARCE: Yes. Well, all I see is "thank  
19 you" on the screen.

20 MR. PETESCH: Are you able to pull up the one I  
21 emailed to you?

22 MR. PEARCE: I'm just doing that now, yes.

23 MR. PETESCH: Okay. That will just make it a  
24 little easier.

25 MR. PEARCE: Let me make sure I've got the right

1           A. No. Brad is -- He was the decision maker. I  
2 just made recommendations.

3           Q. In early 2021, late 2020 into 2021, with respect  
4 to pilot candidates, did you recommend moving along or  
5 hiring other candidates who were over the age of 50?

6           A. Yes. Part of our screening is we don't have  
7 access to age. As part of the interview or anything like  
8 that, we don't capture any of that information. It's  
9 after the fact that we find out when individuals share,  
10 but yes, we would.

11           Q. So I suppose you would only know after -- Well,  
12 would it be true that -- Let me strike that question.

13                   At what point would you learn a successful pilot  
14 candidate's age?

15           A. We would -- And, again, none of the information  
16 that would come across that we would gather has the age.  
17 It was if the individual shared that and that was either  
18 during the interview -- I'm sorry, after the interview or  
19 when they were looking to see where they would fall  
20 within the seniority of the class itself.

21           Q. If an individual was ultimately hired, would  
22 Frontier then find out the individual's age?

23           A. Frontier would, yes. I just didn't have access  
24 to it.

25           Q. Do you know if Frontier hired other pilot

1 candidates over 50 in that time range?

2 A. Yes.

3 Q. Well, were you saying, yes, that you know if  
4 they did or yes that they did? Sorry. That wasn't clear  
5 in that question.

6 A. Yes, Frontier did.

7 Q. Do you know if Frontier ever did any analysis of  
8 the average age of pilots hired?

9 A. Yes, they do.

10 Q. What was that all about?

11 A. The purpose of that is that as we would screen  
12 candidates, we would look and see where our niche was  
13 specifically, given the pilot pool is very small and all  
14 carriers are competing for the same individual. It was  
15 important for Frontier to identify who our pilot was, and  
16 part of that was their background demographic, things of  
17 that nature. So the average age would range between 40,  
18 45-ish, around that age.

19 Q. So in coming up with that average, would that  
20 include persons over the average age?

21 A. Yes.

22 Q. And, obviously, under the average age?

23 A. Yes.

24 Q. In your experience -- I'm shifting gears a  
25 little bit to the issue of flight hours -- does an

1 individual's flight hours necessarily translate to age?

2 A. No.

3 Q. How would you explain that?

4 A. Well, I don't know if this is specific to  
5 Frontier, but Frontier had several flow programs, and so  
6 depending on the avenue that the pilot came through --  
7 Specifically, there was a Purdue flow program, there was  
8 an Embry-Riddle flow program, there was a U&D flow  
9 through, there was an ATP flight school flow-through  
10 program. Those flow-through programs are designed to  
11 identify top tier candidates, but those individuals were  
12 very fairly young. And so if a pilot came through that  
13 avenue, they could potentially, now, in today's world,  
14 have a higher number of hours. So the age and hours  
15 isn't a true correlation because the pilot now comes from  
16 various avenues, not just one pathway.

17 Q. Let me see if I have any further questions for  
18 you. That's usually a good sign. I have no further  
19 questions for you. We can -- Well, it's up to  
20 Mr. Pearce. We can take Exhibit 2 off the screen, but I  
21 have no further questions.

22 And now, Mr. Pearce, you can ask your questions.

23 MR. PEARCE: Awesome. Very good.

24 EXAMINATION

25 BY MR. PEARCE:

1           Q. I'm going to bounce around here a little bit.  
2           My shorthand isn't very good in writing questions. So  
3           let's start with the meat of the conversation. You said  
4           that we reviewed my background, reviewed my flight hours  
5           and -- yeah, the history of my employment, and then we  
6           went on to some more general stuff; is that correct?

7           A. Can you -- I guess I'm confused. What time  
8           frame are you alluding to? Is it our conversation?

9           Q. The 14 minutes we spent together over the phone.

10          A. We didn't go over your employment. We kind of  
11          talked about introductions to each other. You shared a  
12          little bit about your journey, but we didn't go into  
13          detail about your employment background, no.

14          MR. PEARCE: At this time, can we ask the court  
15          reporter to read back his response on that, please? He  
16          specifically said that we went over my background, my  
17          history and my employment.

18          MR. PETESCH: I think the record is going to  
19          speak for itself on that. If the court reporter can  
20          locate that, that's great.

21          THE COURT REPORTER: Give me one moment. It  
22          might take a little bit. Let me look.

23                 (Off-the-record discussion.)

24                 (Whereupon, a previous question and answer was  
25          read back by the court reporter as follows:)

1 in.

2 Q. No.

3 A. My response was, We will give you a call if  
4 there's an opportunity to bring you in to meet the team.

5 Q. That was in an email response a week later. So  
6 in the three times that I asked you in different ways why  
7 would the pilot review hiring committee not consider  
8 people with over seven thousand or seventy-five hundred  
9 hours, do you recall telling me, Because they consider  
10 you too old, set in your ways and untrainable?

11 A. I do not recall that. I do not use "set in  
12 their ways" term. We never discussed age. I still do  
13 not know how old you are and had not ever seen you  
14 because this was a phone call. So I know I wouldn't have  
15 said that. If anything, there is a perception out there  
16 that pilots, after a certain number of hours, sometimes  
17 it's difficult for them to transition and learn a  
18 different type of training, especially Frontier's  
19 training which is deemed very difficult at times. Again,  
20 I'm not a pilot, so I can't speak to the training, so.

21 Q. So it's funny you mention that, that you  
22 volunteered that that's a mindset out there, but you  
23 don't recall telling me that I'm too old, too set in my  
24 ways and considered untrainable. You don't remember  
25 telling me that that's the way the pilot review hiring